

TOWN OF FOXBOROUGH
ADVISORY COMMITTEE
MINUTES
DATE 9/11/2013

Committee Members Present: Paul DeFazio, Lawrence Thomas, Kevin Powers, Larry Stern, George Adler, Howard Siegal, Tracey Metivier, Susan Dring, Heidi Krockta

Members Absent: Michael Haney

Others Present: Lorraine Brue, Ginny Coppola, Jim DeVellis, John Gray, Jr., Randy Scollins, Bob Cutler, Frank Spillane, Pattiann Malynn, Shannon Sylvia, Jeff Anderson

Notes taken by: Kristin Meehan Papianou

The meeting was brought to order at 7:00PM by Paul DeFazio, Chairman. A moment of silence was observed for September 11.

Paul requested that all members introduce themselves and offer some background:

Larry Thomas has been on the Ad Com for seven years. He has five kids and an interested in education, so he is typically a liaison to the schools. He has also served on the School Committee in the past.

Heidi Krockta has lived in town for seven years. She has two daughters in Foxboro Public Schools and works at a medical software company. The casino issue caused her to get more involved.

Kevin Powers grew up in town and loves Foxboro.

Larry Stern has lived in Foxboro for 25 years, he has three daughters and a wife, and he is a small business owner.

Susan Dring works at a law firm part time and is new to Ad Com this year.

Howard Siegal is an attorney and has been in Foxboro for 20 years. He wasn't active in the town until about two years ago. He became involved as a result of the casino issue.

George Adler has lived her 41 years. His children went through parts of the Foxboro Public Schools. He has a doctorate in Industrial Engineering; he's been a Chief Information Officer, a professor and a consultant.

Jeff Anderson is in his third year on Ad Com. He's an entrepreneur and he believes it's important to participate in town government.

Kristin Papianou works for Travelers Insurance and takes notes for Ad Com. Has two boys in the Foxboro Public Schools.

Tracey Metivier has lived in town for 12 years and has a daughter in eighth grade at the Ahern. She is a VP of Sales and she came to Ad Com last year as a result of the casino issue.

Paul DeFazio has been a resident for 20 years and has an 18 year old daughter at FHS. He also has a 21 year old son who graduated from FHS and the schools have been great to them. He works in law enforcement and manages a large department of corrections. The most important thing he's learned on Ad Com is the need to work as a team.

7:15PM Paul handed out the "Liaisons and Meeting Protocol" that he and Tracey drafted this summer after speaking with a number of people who declined to join Ad Com due to the time commitment. They want Ad Com to be on point and productive, polite and respectful.

Discussion of the protocol including contact expectations between the liaisons and the department heads and the time constraint / discussion format. Agreement that this is a draft of an alternative approach which will be up for discussion and development. Larry Thomas suggested that this board tends to be financially conservative and the way we get to yes is by talking issues through. He's concerned that limiting that discussion will result in a lot of "no" votes. Tracey suggested that the goal is not to stop discussion but to be more succinct.

7:35PM Frank Spillane, Town Moderator to discuss the role of Ad Com. Frank suggested that the key to moving forward is to be respectful to each other and to any presenters. He read from meeting minutes from the 1990s that demonstrated that the communication issues being discussed tonight are not new.

Frank said that the Ad Com role isn't policy making, it's reactive. They are supposed to ask tough questions and react to the issues that are set before them. He suggested that the liaisons are in charge of the warrant articles and they should know the issues best. The liaisons should be the ones to ask questions of the presenters on their designated articles.

At Town Meeting, in case of minority opinions, Frank requests that they join the audience before the article is read and then speak as a private citizen rather than as an Ad Com member. He also discussed the reading of the warrant articles and the presentation of the Ad Com recommendation.

Frank urged the Ad Com to put a rule in place that they never vote on an article the same night it is first presented. By putting that rule in place, they would actually have to vote on whether or not to take a vote if it's the first night of discussion on a topic.

He said that, with respect to liaisons, it is the liaison's responsibility to make first contact with the department heads. Liaisons should take ownership of communication and setting up meetings. He

handed out the Duties and Roles of Ad Com. There were no questions. Paul thanked Frank for his presentation.

7:50PM Bob Cutler, Acting Town Manager, Open Meeting Law and Anticipated Warrants

Bob thanked all Ad Com members for their service. He sat on Ad Com 30 years ago. He handed out the “Open Meeting Law Guide” and discussed pertinent parts including communications via email (his suggestion is to limit it to communicating meeting times and places); the requirements for posting meetings (at least 48 hours in advance) and limiting topics discussed to those on the agenda. He advised that quorum for this Ad Com is six (more than 50% of the members). So, if six or more members are together and they haven’t posted a meeting they cannot discuss town business.

Bob advised that he also believes it is the responsibility of the liaisons to make first contact with the department heads. He asked that the liaisons request only relevant information and give the department heads reasonable time to respond. He asked the Ad Com members to let him know if any department head is not responsive.

Bob discussed videotaping of meetings. The public has a right to video or audio tape the meetings. They need to announce it in advance and they cannot interfere with the meeting.

8:15PM Bob Cutler, Acting Town Manager, Warrant Articles

Bob handed out the most current draft of the Warrant for discussion. George Adler requested that documents of this nature be marked up with version designations so that they are more easily identified.

Lorraine Brue, Ginny Coppola, John Gray and Randy Scollins joined Bob at the presenter table. All Selectmen expressed appreciation for the Ad Com members and the work they do.

Randy Scollins introduced Article 1 and explained that Item 1 is an assessment that we are legally required to pay. Items 2 and 3 are related to the Town Manager position. Randy advised that we need to have funds in the budget in order to enter into a contract with a new Town Manager. There was some additional discussion of Article 1 when all agreed that tonight the goal was to just read through the articles. More in depth discussion will occur at future meetings with presenters.

Articles 2 & 3 were read by Randy Scollins. He explained that Article 3 concerns the “soft costs” associated with the Town Hall project. This means it is not the actual construction expense, but rather the bidding and planning process.

Articles 4 and 5 were read by Bob Cutler. He advised that Article 4 relates to the DPW modular building and the money will come from the water enterprise fund. Article 5 is the Sewer service plan – trying to expand our sewer to allow for downtown development. It does not require anyone to tie into sewer.

Article 6 is a Planning Board Request to apply for a grant, accept the funds and spend the money on the Payson Road recreation department.

Article 7 is to amend zoning by-law to allow for Innovative Residential Development. It will require a 2/3 vote at Town Meeting.

The warrant was reduced from 14 to 7 Articles and the meeting was moved back to November 4 from the original October 21 date. Tracey thanked the Board of Selectmen for making these changes.

Discussion as to the impact of a “no action” recommendation on any of the warrant articles as well as the priority and order of the articles. Ad Comm was advised that the order would likely stay the same with the exception of Articles 5 and 6 swapping places.

Discussion of the time it takes Ad Comm to review and research the Articles and prepare their recommendations. Ginny suggested that Ad Comm consider issuing a letter to the Reporter explaining the Ad Comm role to help the citizens understand the work that is done. Tracey advised that she and Paul are working on that.

Discussion of Article 3 and the need to understand all options: renovate, rebuild, lease and to explain all of them at Town Meeting. Randy advised that he thinks Ad Comm will hear about all options from the Building Committee.

Additional discussion about the general condition of the building, the new location for Board of Selectmen meetings (Media Center) and alternative meeting space for the Ad Comm.

Discussion about a request to record the Ad Comm meetings. Bob Cutler advised against doing so. Paul advised that he would put it on the Agenda for next week.

Ad Comm thanked Randy, Bob and the Selectmen for their presentation.

9:05PM Randy Scollins, Reserve Fund Transfers

Randy handed out a 20 year history packet of reserve fund transfers. Discussion of the types of transfers, the timing of them (typically done at the end of the fiscal year, not at the start) and the size of the reserve fund over the years. Reserve Fund is money set aside by vote at Town Meeting to be used for unforeseen or extraordinary needs. The three requests were discussed:

#1 is \$18,975 stipend for the acting Town Manager. It is not to pay the former Town Manager.

#2 is \$19,289 Town Clerk Salary as a result of an unanticipated retirement. This is considered a “buy back” – we owe it.

#3 is \$ 6,654.41 combined for the Community Social Worker position and the Program Coordinator Position. This is also considered a “buy back” – we owe it.

Discussion regarding whether the funding for item #1 was truly unforeseen. Larry Thomas said that the Board of Selectmen knew what amount of money they had for that position when they negotiated with the former Town Manager. They negotiated beyond the amount of money they had available and he does not think that constitutes an unforeseen expense. All agree that it was not foreseen that the Town Manager was going to leave at the time the budget was done. Disagreement as to whether it was foreseen when the Board of Selectmen negotiated beyond the budget. All also agreed that Bob Cutler has stepped up and is doing a great job. All expressed appreciation for the work he is doing. Discussion continued regarding whether it is appropriate for Ad Comm to approve item #1 as unforeseen reserve fund transfer or whether it should be voted on at Town Meeting. Randy offered to get a legal opinion from the Department of Revenue if that would help in this decision. Paul agreed that this item would be carried over until next week.

10:10PM Larry Stern made a motion to vote on reserve fund transfer requests #2 and #3. Larry Thomas seconded.

VOTE: 6-2-0

George Adler and Paul DeFazio opposed.

10:13PM Larry Stern made a motion to vote yes on reserve fund transfer requests #2 and #3 as presented. Tracey Metivier seconded.

VOTE: 8-0-1

George Adler abstained.

10:20PM Citizen Input

Shannon Sylvia advised that she volunteers for Foxboro Cable Access (FCA) and has been asked by some to tape these sessions. She said she could have done it tonight but she waited because she wants Ad Comm to buy in to the idea. Shannon also offered to produce a segment about how the Ad Comm works.

Paul advised that he would put this discussion on the agenda for next week and thanked Shannon for her input.

10:25PM Discussion of liaison assignments:

Article 1 Kevin

Article 3 will be broken into parts and assigned as follows:

Rebuild (new building) Option: Larry Thomas

Lease (post office) Option: Larry Stern

Renovate (Dick Heydecker) Option: Jeff Anderson

Article 4 Water & Sewer: Paul

Article 5 Sewer Service Area: Heidi and Tracey

Article 6 Grant Acceptance: Susan and Tracey

Article 7 Amend the Zoning By-Laws: Howard

10:35 PM Motion to Adjourn by Howard Siegal. Seconded by Tracey Metivier.

Vote: 9-0-0

Minutes approved by Vote of the Advisory Committee.

Date of Meeting: 10/9/13

Vote: 8-0-0

*Signed original on file with office of the Town Manager

Signature of Chairperson

Signature of Secretary